

Personnel reshuffle in regions echo battles in Kyiv

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"Complex inspections of implementation of laws of Ukraine, acts and orders of the President of Ukraine and the Cabinet of Ministers of Ukraine in some regions proved that some heads of local executive bodies had not ensured due implementation of their tasks, effective implementation of state policy in relevant areas, introduction of market relations, complex socio-economic development of relevant territories, and the observance of legitimate rights and interests of citizens" (Decree of the President of Ukraine "On Personal Responsibility of Heads of Central and Local Executive Bodies", November 13, 2002.

Regional Sketches

November 13 was a bad day for a number of Ukrainian heads of central and local executive authorities. According to the presidential decree "On Personal Responsibility of Heads of Central and Local Executive Bodies", the most significant problems were found in the Cherkasy, Chernihiv, Dnipropetrovsk, Zaporizhzhya, Poltava, Chernivtsi and some other regions. For instance, according to the document, in the Cherkasy region within the recent years "such branches of primary importance, as machine building, radio electronics, defense, furniture production, etc. were in fact ruined; every second enterprise is loss-making". In the Chernihiv region it was found that the average income was only half of the country's average, and some of once leading industries, including timber processing, radio electronics and chemical industry, suffered from stagnation. Very few enterprises used innovating techniques, and the region was among the worst performing ones in terms of the number of small businesses per 10 000 population. The regional leadership was also criticized for the lack of progress in fighting corruption and organized crime.

The decree materialized in the dismissal of heads of the Chernihiv and the Cherkasy Regional State Administrations (Mykola Butko and Volodymyr Lubianets, respectively), and 9 heads of local state administrations.

President Kuchma issued a decree appointing Hryhory Panchenko, formerly deputy head of the Chernihiv state administration, to replace his dismissed boss temporarily, till it becomes clear who will fill the vacancy. Vadym Leshchenko was appointed to the position of the head of the regional state administration of Cherkasy.

Former head of the Chernihiv state administration protested vehemently against that evaluation of his performance. "I am strongly against the accusations made in the decree. It's not like that in life," Butko stated, "this incorrectness made me indignant, as a person and a civil servant."

Other state officials whose positions became rather shaky in the context of the recent presidential decree were head of the State Property Fund Oleksandr Bondar and head of the State Committee of Ukraine for Regulatory Policy and Enterprise Oleksandra Kuzhel. Both of them were officially warned of their "incomplete professional adequacy". The head of the state officially reprimanded four heads of regional state administrations: Dnipropetrovsk (Mykola Shvets), Poltava (Yevhen Tomyshyn), Zaporizhzhya (Yevhen Kartashov), Chernivtsi (Teofil Bauer) and three heads of district state administrations. According to the president, those regions were noticeably lagging behind in economics, they failed to create due conditions for small business development, displayed substantial deficits in public administration, failed to "reduce the level of shadowisation of the economy", failed to ensure proper level of management of state corporate rights, and were too slow in paying up their tax debts to the national budget.

Commenting on the president's decision, his chief of staff Viktor Medvedchuk noted that the administrative sanctions might be followed with dismissal from the positions. "They should understand that," he stressed. Given the current political situation, it is possible that the decree is the first step in the line of a massive reshuffle in the national and subnational bureaucracy.

According to the Law...

According to the law "On Local State Administrations" (1999), Article 1, "a local state administration is a local body of executive power and belongs to the system of executive bodies." A local state administration, within its scope of competence, performs executive power on the relevant territory and implements authority delegated to it by

the relevant council. Local executive power in Kyiv and Sevastopol is exercised in accordance with specific laws.

As we all know, voters in Ukraine do not elect governors; instead, governors are appointed "from the center" and, therefore, are potentially very vulnerable to the pressure of political situation in Kyiv. The regional and subregional state administrations perform within the framework of the Administration of the President of Ukraine and follow the double subordination principle. Heads of local state administrations are appointed and dismissed by the president of Ukraine following the recommendation of the Cabinet of Ukraine (as specified in the Constitution, Article 118). The same provisions are reflected in the law "On Local State Administrations". However, in our case it is not quite clear who, given the legislation, initiated the dismissal of the heads of the regional and district state administrations. No comments on that have been made by any of the members of the government.

Some points on the reasons

One may see that the staff reshuffles may be only the beginning of a process of further transformations at the regional level. First and foremost, that points to the fact that intentions of the current political players to re-divide spheres of regional influence are quite serious. The processes may be either frozen immediately after the elections, except in some cases. The start of the personnel reshuffle may mean that the key players in the parliamentary majority are determined to strengthen their influence on the regions in which most of decision-making is made.

There are a number of reasons and factors of that, political and economic alike, directly and indirectly promoting the current start of the "cadre revolution". While some of the components of the process look rather sketchy, various political players may seek to make a difference and fulfill their political ambitions and tactical as well as strategic interests by pushing personnel reshuffle. The major reasons for the situation may be summarized as follows:

unsatisfactory, for the pro-presidential forces (ZaYedU election block, the SDPU(o)) results of the recent parliamentary elections in specific regions, general re-grouping of the entire vertical executive power structure in the context of the beginning of the "Premieriada" and discussions about possible establishment of a coalition government, Efforts of the parliamentary majority (232 MPs) to receive "cadre dividends" for supporting head of the Donetsk regional state administration, Viktor Yanukovych, as the candidate for the position of the Prime Minister of Ukraine. On the other hand, the whole intrigue with the personnel reshuffle may be linked to the attempts to build a vertical executive power structure at the regional level, following the "architecture" proposed by Yanukovych. Theoretically, those plans might be supported by the head of the state. Indirect pressure on regional supporters of Viktor Medvedchuk by the head of the state in the context of "maintaining the balance of forces" between different representatives of the Ukrainian political class. This point, though, can be challenged by the fact that a head of the Cherkasy regional state administration, loyal to the SDPU(o) was substituted by even stronger supporter of that force. It is possible that the reshuffles are pushed for by members of the Ukrainian political class in the anticipation of the 2004 presidential elections (or even early presidential elections, which is not impossible under the circumstances). In that case, taking into account the current political realities, forces interested in slicing and dividing the political pie in the regions may include SDPU(o), the Party of the Regions and the Trudova Ukraina. In that case one will soon be able to see more activities in the regions in the context of trying to secure as many resources as possible for potential "successor" to president Kuchma. It is also possible that the reshuffles represent the efforts to strengthen regional influence of and division of spheres of influence between the SDPU(o), the Party of the Regions and, to some extent, the Trudova Ukraina, as the current distribution of influence does not reflect the level of influence of those political forces in the "center".

The Echo of Elections

One possible reason of the dismissal of the leadership of the selected regions (in addition to the economic drawbacks and inadequate public administration, as the decree suggests) may be the results of the March 2002 elections. The high results received by the Nasha Ukraina block of Viktor Yushchenko in those regions, compared to modest figures received by the pro-Kuchma parties and blocks acted as a constant danger to the appointed governors. In a sense, the election results can be seen as a test for support of specific forces by the regional elites.

The elections (or rather, efforts to manipulate their results) used to play bad tricks on some representatives of regional elites. The "administrative resource", gathered in the hands of heads of regional state administrations, often failed to perform. In 1998, a week after the parliamentary elections, President Kuchma signed 31 decrees and

resolutions, 14 of which were on dismissing regional and local heads of state administrations and appointing new persons to those positions. The president stated explicitly that "most of governors demonstrated their inability, worked only for themselves" (Fakty i Kommentarii, April 14, 1998). Then, a new governor O. Migdeyev was appointed to substitute M. Zabara in the Dnipropetrovsk region, because Zabara had failed "to keep the situation in the region under control" and influence the election campaign which in that region "was given entirely to the hands of a single political force, the regional council, the Hromada party and its leader, Pavlo Lazarenko" (Fakty i Kommentarii, April 14, 1998). In early June 1998, meeting leaders of executive bodies of the Chernihiv region, Leonid Kuchma announced his intention to substitute 90 percent of the regions' leaders. He explained his intention simply: governors "promised one thing but did another thing" (Fakty i Kommentarii, May 6, 1998). The wave of change swept representatives of executive bodies in almost all regions of Ukraine.

In the short period between the first and the second rounds of the 1999 presidential elections the president signed dismissals (or rather, requests for resignation by their own free will), submitted earlier by heads of Vinnytsya, Poltava and Kirovohrad state administrations (D. Dvorkis, O. Kolesnikov and V. Kalchenko, respectively). According to then press secretary of the president, Oleksandr Martynenko, "the experience of the elections and working visits of the President to the regions showed that support or the lack of support for the President in the elections was in the closest way linked to the work of the local authorities" (Molod Ukrainy, November 5, 1999). The comments on the resignations, however, were rather controversial. For instance, while stating that "the matter was not who won in a specific region", Kuchma's press secretary did not refute the argument that the dismissals (or resignations) of the governors were linked to the fact that the incumbent president lost in those regions in the first round. "If the President receives only 5 percent of the votes in a specific district, does the head of that region, whose effectiveness is automatically reflected by that result, have a moral right to stay in his office? Those people, to give them a credit, understood that and submitted their resignations." (Kievskie Vedomosti, November 4, 1999).

Back to the situation after the 2002 parliamentary elections, one may see that the first governor to leave his office after the polling day was the head of the Ternopil regional state administration Vasyl Kolomyichuk. In that region Viktor Yushchenko's block, Nasha Ukraina, received 69.01%, and Yulia Tymoshenko's block got 18.83% of the votes. Moreover, candidates supported by Yushchenko's Nasha Ukraina won in five majoritarian constituencies of the region. The next governor to go was Vasyl Klimchuk of the Volyn regional state administration. In his region Nasha Ukraina, received 57.55%, and Yulia Tymoshenko's block got 13.31% of the votes, while the pro-Kuchma "Za Yedynu Ukrainu" got 7.94% and the Communist party got 5.32%. Three out of five of the region's majoritarian districts were won by candidates supported by Nasha Ukraina. In the Chernihiv and Cherkasy regions, Nasha Ukraina was also victorious in the elections.

The "election factor" plays a significant role in forming a "vertical power structure" in the regions for the forthcoming presidential elections.

The Coalition "Auction"

The beginning of the reshuffles in the power echelons at the regional level may suggest that the factions of the parliamentary majority seek to show a consistent approach to shaping the vertical power structure. The recent decree shows that the need for a broader "coalition" cannot be satisfied only by getting some of the 17 top offices in the government, except the law-enforcement ministries and the Ministry of Foreign Affairs. Simultaneously with bargaining for positions in the new government, representatives of the majority seek to strike deals about appointing their representatives in regional and subregional state administrations. The current moves are probably the most explicit indications of the desire of political forces to influence the formation of the executive branch. Among other things, this may serve as yet another indicator that the process of preparations for the next presidential elections has begun. Earlier on, when the Kinakh government was formed in 2001, the only possibilities publicly discussed were for the political forces to lobby for appointment of "their" people to positions of state secretaries in the ministries. Hence, it is likely that the processes of the "cadre revolution" will gain momentum. The start was given by the parliamentary votes in support of Viktor Yanukovich as the new Prime Minister of Ukraine. Hence, given the political details, the challenge is to find enough reasonably influential positions in the executive branch to satisfy ambitions of all those willing to join the process.